

**Ward County Clerk**

Denise Valles
400 South Allen
Monahans, TX 79756

Main: (432)943-3294 **Fax:** (432)943-6054

Receipt: 20221115000003

Date: 11/15/2022

Time: 10:55AM

By: Barbara C

Station: CCLERK04

Status: ORIGINAL COPY

<u>Seq</u>	<u>Item</u>	<u>Document Description</u>	<u>Number</u>	<u>Number Of</u>	<u>Amount</u>	<u>Serial Number</u>
1	Real Property Recordings	ML	4351	9	\$54.00	

Order Total (1) \$54.00

<u>Seq</u>	<u>Payment Method</u>	<u>Transaction Id</u>	<u>Comment</u>	<u>Total</u>
1	Check	008859		\$54.00

Total Payments (1) \$54.00

Change Due \$0.00

MK MARLOW

For more information about the County Clerk's office and to search property records online, please visit <http://www.co.ward.tx.us>

WARD COUNTY CLERK'S OFFICE

Check: 8859
Date: 11/11/2022
Vendor: 0

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
FILING FEES		54.00	54.00	0.00	0.00	54.00
		<u>54.00</u>	<u>54.00</u>	<u>0.00</u>	<u>0.00</u>	<u>54.00</u>



STATE OF TEXAS

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AFFIDAVIT FOR MECHANIC'S LIEN

COUNTY OF WARD

BEFORE ME the undersigned authority, personally appeared Malcolm Scott Farrar, who upon his oath, deposed and stated the following:

1. "My name is Malcolm Scott Farrar. I am the Director of Operations of MK Marlow Company, LLC, hereinafter sometimes referred to "Claimant." I am over 21 years of age, am competent and authorized to make this affidavit and have personal knowledge of the facts set forth below which are true and correct. Claimant's business address is 16116 College Oak, San Antonio, Texas 78249.

2. Claimant, a subcontractor, furnished labor and materials for improvements to the real property described herein, pursuant to a contract by and between Claimant and Huband-Mantor Construction, Inc., whose last known address is 43000 IH 10 West, Boerne, Texas 78006.

3. The labor, materials, and work furnished by Claimant are generally described as Metal Stud Framing, Hollow Metal Frames, Drywall, Drywall Trim, ACT Grid & Tile, Insulation including R-11, R19 and Rigid, Sealant, and Exterior Filter Insulation and further reflected in the invoices/payment requests attached herein as Exhibit "B". The amount due and owing, and unpaid to Claimant for the labor and/or materials is \$536,728.57, including \$169,098.39 in retainage that is or will become due when the contract is completed or terminated. This amount is true, correct and just, and all lawful offsets, payments, and credits known to Claimant have been provided. Claimant furnished the labor, materials and work in the months of July 2022.

4. The real property and improvements sought to be charged with this lien by Claimant is described as follows: 3013 FM 516 NORTH, BARSTOW, TEXAS 79777 FM 2119, and as further referenced as 50.079 acres out of Section 229, Block 34, H&TC Survey, Ward County, Texas, being Tracts 1, 2, 3 as further shown in the attached Exhibit "A" (collectively "Property")

5. The name of the owner or reputed owner of the Property is Core Scientific, Inc., whose last known address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704 and 2800 Northup Way, Suite 220, Bellevue, Washington, 98004.

6. Notice of the claim was sent to the owner or reputed owner and general contractor on October 14, 2022, and November 11, 2022 via certified mail, return receipt requested.

7. Claimant claims a lien and, if applicable, a constitutional lien upon all of the Property in the amount shown above pursuant to Chapter 53 of the Texas Property Code and the State of Texas Constitution.

8. One copy of this Affidavit is being sent via certified mail, return receipt requested to the owner and the general contractor at their respective last known addresses."

FURTHER AFFIANT SAYETH NOT.

MK MARLOW COMPANY, LLC

By: 

Authorized Representative of Claimant

STATE OF TEXAS

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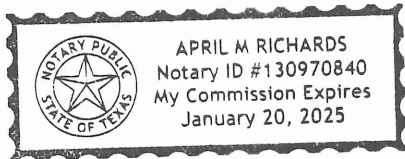
§

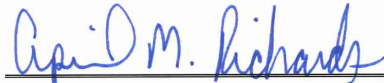
COUNTY OF BEXAR

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SUBSCRIBED AND SWORN TO by the said Malcolm Scott Farrar, on this 11th day of November, 2022, who acknowledged to me that he is the authorized agent and representative of MK Marlow Company, LLC, and that he has signed this Affidavit for Mechanic's Lien in his stated capacity with full authority to do so and declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 11th day of November 2022.

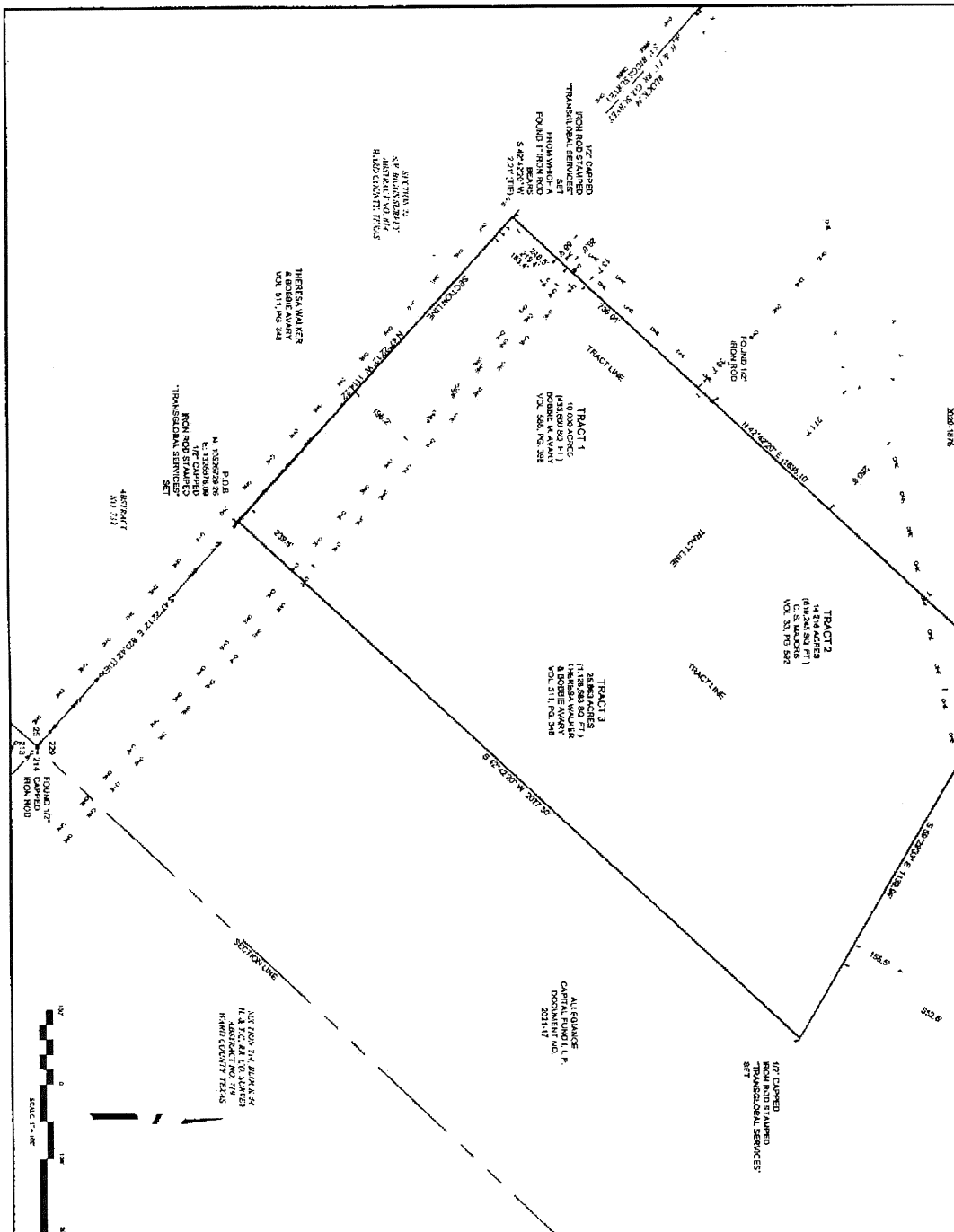
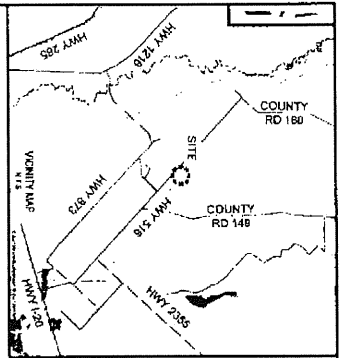



Notary Public, State of Texas
My Commission Expires: 01/20/2025

After Recording, Return To:

ERIC L. SCOTT
SCOTT VISCUSO, PLLC
1105 N. BISHOP AVENUE
DALLAS, TEXAS 75208

PLAT OF SURVEY OF A 50.079 ACRE TRACT OF LAND
SITUATED IN
SECTION 229, BLOCK 34, H. & T.C. RR. CO. SURVEY, ABSTRACT NO. 292
WARD COUNTY, TEXAS

<<COUNTY NAME>> TEXAS
LEGAL DESCRIPTION:[illegible][illegible]

DEMISEY D. HANNAH "EXAS R.P.L.S NO. 5637" DATE

NOTES

- [illegible]

- (A) METABOLISM
- (B) GROWTH AND ELECTROLYTE BALANCE
- (C) REPRODUCTION
- (D) DEFENSE AGAINST PATHOGENS
- (E) HOMEOSTASIS

184612 FRIEDL 10/20/07 - 40' x 30' 1/2
2005 1/2 Corded Steel Reinforced Double Sided
Steel and Plywood, 10' x 30' 1/2
#818781180 - Item #18781180

[illegible]

Exhibit "B"**SUBCONTRACTOR'S/SUPPLIER'S APPLICATION FOR PAYMENT**

TO: Huband-Mantor Construction, Inc.
43000 IH-10 West
Boerne, Texas 78006

Application No. 4
Period From: 07/01/2022
Period To: 07/31/2022
Invoice #: 5836

From: MK Marlow Company, LLC
16116 College Oak Drive
San Antonio, TX 78249

*Pay Application due to HMC by
20th of each month*

Project: Core Scientific Cedarvale
Barstow, Texas

1. Original Contract Amount.....	8,171,795.00
2. Approved Change Orders.....	234,000.00
3. Revised Contract Amount.....	8,405,795.00
4. Total Complete to Date.....	3,381,967.65
5	
5. Less 10% Retainage.....	169,098.39
6. Total Earned to Date.....	3,212,869.26
7. Less previous Payment Applications.....	2,845,238.98
8. NET AMOUNT DUE THIS ESTIMATE.....	367,630.28
9. BALANCE LEFT TO DRAW	5,192,925.74

CERTIFICATE OF THE SUBCONTRACTOR:

I Herby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of accomplishment under the terms of the Contract (and all authorized changes thereto) between the undersigned and Huband-Mantor Construction, Inc. relating to the above referenced project.

I also certify that payments, less applicable retention, have been made through the period covered by previous payments received from the contractor, to (1) all my subcontractors (sub-contractors) and (2) for all materials and labor used in or in connection with the performance of this contract. I further certify I have complied with Federal, State and local tax laws, including Social Security laws and Unemployment laws and Workers Compensation laws as applicable to the performance of this contract.

SUBCONTRACTOR: MK Marlow Company, LLC

BY: 
TITLE: CONTROLLER

APPLICATION AND CERTIFICATE FOR PAYMENT

INVOICE Page 1

To(OWNER): HUBAND-MANTOR CONSTRUCTION
43000 IH-10 WEST
BOERNE, TX 78006

Project: CORE SCIENTIFIC - CEDARVILLE
UNKNOWN
BARSTOW, TX 79719

Application No: 4
Invoice No: 5836
Period To: 7/31/2022

From: MK MARLOW COMPANY LLC

16116 COLLEGE OAK DRIVE
SAN ANTONIO, TX 78249

Via(Architect):

Architect's

Project No: 22001

Invoice Date: 7/15/2022

Contract Date: 2/8/2022

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Approved previous months	234,000.00	0.00
Approved this month	0.00	0.00
TOTALS	234,000.00	0.00
Net change by change orders	234,000.00	

1. ORIGINAL CONTRACT SUM \$ 8,171,795.00
2. Net change by Change Orders..... \$ 234,000.00
3. CONTRACT SUM TO DATE(Line 1 +/- 2)..... \$ 8,405,795.00
4. TOTAL COMPLETED & STORED TO DATE..... \$ 3,381,967.65
5. RETAINAGE..... \$ 169,098.39
6. TOTAL EARNED LESS RETAINAGE..... \$ 3,212,869.26
(Line 4 less Line 5)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT..... \$ 2,845,238.98
(Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE..... \$ **367,630.28**

9. BALANCE TO FINISH, PLUS RETAINAGE..... \$ 5,192,925.74
(Line 3 less Line 6)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: MK MARLOW COMPANY LLC

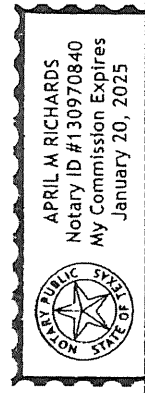
By: *[Signature]* Date: 7/18/2022

State of: TX

Subscribed and sworn to before me this 18th day of July, 2022

Notary Public: April M. Richards

My Commission expires: 1/20/2025



AMOUNT CERTIFIED..... \$
(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

By _____ Date _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

CONTINUATION SHEET

Page 2

Application Number: 4
Application Date: 7/15/2022
Period To: 7/31/2022
Architect's Project No: 22001

A	B	C	D		E		F	G	H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (Not in D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% G/C	BALANCE TO FINISH (C-G)	RETAINAGE	
			FROM PREV. APPLICATION (D+E)	THIS PERIOD						
1	Mobilization	400,000.00	140,000.00	0.00	0.00	140,000.00	35	260,000.00	7,000.00	
2	Equipment	200,000.00	20,000.00	0.00	0.00	20,000.00	10	180,000.00	1,000.00	
3	Tech Building: Interior Framing (Labor)	30,054.79	30,054.79	0.00	0.00	30,054.79	100	0.00	1,502.74	
4	Tech Building: Interior Framing (Material)	37,607.15	37,607.15	0.00	0.00	37,607.15	100	0.00	1,880.36	
5	Tech Building: Insulation (Labor)	19,129.82	1,912.98	17,216.84	0.00	19,129.82	100	0.00	956.49	
6	Tech Building: Insulation (Materials)	20,322.76	2,032.28	18,290.48	0.00	20,322.76	100	0.00	1,016.14	
7	Tech Building: Drywall (Labor)	23,379.39	2,337.94	21,041.45	0.00	23,379.39	100	0.00	1,168.97	
8	Tech Building: Drywall (Material)	19,691.06	1,969.11	17,721.95	0.00	19,691.06	100	0.00	984.55	
9	Tech Building: Acoustical Ceiling (Labor)	20,605.32	0.00	20,605.32	0.00	20,605.32	100	0.00	1,030.27	
10	Tech Building: Acoustical Ceiling (Material)	23,956.56	0.00	23,956.56	0.00	23,956.56	100	0.00	1,197.83	
11	Building A: Exterior Framing (Labor)	250,741.61	0.00	0.00	0.00	0.00	0	250,741.61	0.00	
12	Building A: Exterior Framing (Material)	922,442.47	500,000.00	0.00	0.00	500,000.00	54	422,442.47	25,000.00	
13	Building A: Rigid Insulation (Labor)	158,046.75	0.00	0.00	0.00	0.00	0	158,046.75	0.00	
14	Building A: Rigid Insulation (Materials)	144,178.80	0.00	0.00	0.00	0.00	0	144,178.80	0.00	
15	Building B: Exterior Framing (Labor)	250,741.61	0.00	0.00	0.00	0.00	0	250,741.61	0.00	
16	Building B: Exterior Framing (Material)	922,442.47	500,000.00	0.00	0.00	500,000.00	54	422,442.47	25,000.00	
17	Building B: Rigid Insulation (Labor)	158,046.75	0.00	0.00	0.00	0.00	0	158,046.75	0.00	
18	Building B: Rigid Insulation (Materials)	144,178.80	0.00	0.00	0.00	0.00	0	144,178.80	0.00	
19	Building C: Exterior Framing (Labor)	250,741.61	0.00	0.00	0.00	0.00	0	250,741.61	0.00	

CONTINUATION SHEET

Page 3

Application Number: 4
 Application Date: 7/15/2022
 Period To: 7/31/2022
 Architect's Project No: 22001

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREV. APPLICATION (D+E)						
20	Building C: Exterior Framing (Material)	922,442.47	500,000.00		0.00	0.00	500,000.00	422,442.47	25,000.00
21	Building C: Rigid Insulation (Labor)	158,046.75	0.00		0.00	0.00	0.00	158,046.75	0.00
22	Building C: Rigid Insulation (Materials)	144,178.80	0.00		0.00	0.00	0.00	144,178.80	0.00
23	Building D: Exterior Framing (Labor)	250,741.61	25,074.16		37,611.24	0.00	62,685.40	188,056.21	3,134.27
24	Building D: Exterior Framing (Material)	922,442.47	500,000.00		0.00	0.00	500,000.00	422,442.47	25,000.00
25	Building D: Rigid Insulation (Labor)	158,046.75	0.00		0.00	0.00	0.00	158,046.75	0.00
26	Building D: Rigid Insulation (Materials)	144,178.80	0.00		83,925.00	0.00	83,925.00	60,253.80	4,196.25
27	Building E: Exterior Framing (Labor)	250,741.61	0.00		62,685.40	0.00	62,685.40	188,056.21	3,134.27
28	Building E: Exterior Framing (Material)	922,442.47	500,000.00		0.00	0.00	500,000.00	422,442.47	25,000.00
29	Building E: Rigid Insulation (Labor)	158,046.75	0.00		0.00	0.00	0.00	158,046.75	0.00
30	Building E: Rigid Insulation (Materials)	144,178.80	0.00		83,925.00	0.00	83,925.00	60,253.80	4,196.25
31	CO 001 - Ant Buildings	234,000.00	234,000.00		0.00	0.00	234,000.00	0.00	11,700.00
	Totals	8,405,795.00	2,994,988.41		386,979.24	0.00	3,381,967.65	5,023,827.35	169,098.39

FILED FOR RECORD IN:
Ward County
On: 11/15/2022 10:55:42 AM
Doc Number: 2022 - 4351
Number of Pages: 9
Amount: 54.00
Order#: 20221115000003
By: BC



Denise Valles
Denise Valles, County Clerk

US POSTAGE  PITNEY BOWES
ZIP 79756 \$ 001.68⁰
02 4W
0000359941 NOV 15 2022



AFTER FIVE DAYS RETURN TO
DENISE VALLES
COUNTY CLERK • WARD COUNTY
400 SOUTH ALLEN, SUITE 101
MONAHANS, TEXAS 79756



TO

**MK MARLOW COMPANY LLC
16116 COLLEGE OAK
SAN ANTONIO, TX 78249**